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PROPOSED AMENDED CLAIMS

1. (currently amended) A bone graft forming guide for providing a bone graft having a desired shape comprising:

a main body including a ~~holder~~ first and second portions defining an interior for holding a graft material;

a hole guide containing a plurality of holes ~~guides~~ arranged in a hole pattern generally corresponding to the desired shape of the bone graft, the hole pattern allowing for holes to be made along first and second spaced apart portions of the perimeter of the bone graft while the graft material is disposed within the interior; and

a cutting guide containing a cutting pattern corresponding to the desired shape of the bone graft, the cutting pattern allowing for cuts along at least first and second spaced apart portions of the perimeter of the bone graft while the graft material is disposed within the interior.

2. (original) The bone graft forming guide of claim 1, wherein the hole guide is an insert and the main body includes a guide receiving opening for the insert.

3. (original) The bone graft forming guide of claim 2, wherein the cutting guide is an insert and the main body includes a guide receiving opening for the insert.

4. (canceled)

5. (currently amended) A bone graft forming guide for providing a bone graft having a desired shape comprising:

a main body including a holder for holding a bone graft material, the main body including a first portion and a second portion, at least one end of the two portions being joined together to provide a holder for holding a graft material during cutting, the main body having a receiving structure adapted to receive an insert;

a hole guide insert associated with the main body, the hole guide insert containing a plurality of holes, the plurality of holes forming a hole pattern generally corresponding to the desired shape of the bone graft~~-insert~~, the hole pattern allowing for holes to be made along first and second spaced apart portions of the perimeter of the bone graft; and

a cutting guide insert associated with the main body, the cutting guide insert containing a cutting pattern corresponding to the desired shape of the bone graft, the cutting pattern allowing for cuts along at least first and second spaced apart portions of the perimeter of the bone graft.

6. (original) The bone graft forming guide of claim 5, wherein the hole guide insert and the cutting guide insert are removably insertable within the receiving structure.

7. (original) The bone graft forming guide of claim 6, further including closure means for closing the two portions of the main body together to hold a bone graft material during forming of the bone graft.

Claims 8-10 (cancelled)

11. (currently amended) An instrument for use in forming a bone graft from bone graft material, said instrument comprising:

a body capable of holding said bone graft material, said body including a first member and a second member pivotally connected to one another and being capable of holding said bone graft material therebetween; and

a cutting guide associated with said body, wherein said cutting guide contains a pattern corresponding to a desired shape of said bone graft, and wherein said pattern facilitates the making of cuts along at least first and second spaced apart portions of the perimeter of the bone graft thereby at least partially forming said bone graft having said desired shape; and

a clamping mechanism capable of urging said first and second members toward each other.

12. (canceled)

13. (canceled)

14. (original) The instrument of claim 12, wherein said cutting guide is detachably mounted to said body.

15. (original) The instrument of claim 14, wherein said pattern of said cutting guide comprises a plurality of bores.

16. (original) The instrument of claim 15, wherein said plurality of bores are interconnected.

17. (original) The instrument of claim 14, wherein said pattern of said cutting guide comprises at least one slot.

18. (original) The instrument of claim 14, wherein said body further comprises a mounting structure to facilitate detachably mounting said cutting guide to said body.

19. (original) The instrument of claim 18, wherein said body further comprises a securing element to secure said cutting guide to said mounting structure.

20. (currently amended) The instrument of claim 12, wherein said ~~two-hinged~~first and second portions each have bone graft material contacting surfaces, and wherein at least one of said bone graft material contacting surfaces is deformable to facilitate holding said bone graft material when said bone graft material is clamped between said two hinged portions of said body of said instrument.

21. (original) The instrument of claim 20, wherein said at least one of said bone graft material contacting surfaces has protrusions.

22. (original) The instrument of claim 20, wherein said at least one of said bone graft material contacting surfaces is non-linearly configured to accommodate a cross-sectional shape of said bone graft material.

23. (currently amended) The instrument of claim 12, wherein said ~~two-hinged~~first and second portions each have

bone graft material contacting surfaces, and wherein at least one of said bone graft material contacting surfaces is non-linearly configured to accommodate a cross-sectional shape of said bone graft material.

24. (original) The instrument of claim 11, wherein said pattern of said cutting guide comprises a plurality of bores.

25. (original) The instrument of claim 24, wherein said plurality of bores are interconnected.

26. (original) The instrument of claim 11, wherein said pattern of said cutting guide comprises at least one slot.

27. (currently amended) An instrument for use in forming a bone graft from bone graft material, said instrument comprising:

a body including first and second portions defining an interior capable of holding said bone graft material;

a pattern guide associated with said body, wherein said pattern guide facilitates forming a pattern in said bone graft material corresponding to a desired shape of said bone graft, the pattern allowing for holes to be made along first and second spaced apart portions of the perimeter of the bone graft while the graft material is disposed within the interior; and

a cutting guide associated with said body, wherein said cutting guide facilitates cutting through said pattern in said bone graft material to form said desired

shape of said bone graft while the graft material is disposed within the interior.

28. (currently amended) The instrument of claim 27, wherein said ~~body comprises a block having two first and second portion are hinged portions capable of holding said bone graft material between said two hinged portionstogether.~~

29. (currently amended) The instrument of claim 28, wherein said body further comprises a clamping mechanism capable of urging said ~~two hinged first and second portions~~ toward each other.

30. (original) The instrument of claim 28, wherein at least one of said pattern guide and said cutting guide is detachably mounted to said body.

31. (original) The instrument of claim 30, wherein said body further comprises a mounting structure to facilitate detachably mounting said at least one of said pattern guide and said cutting guide.

32. (original) The instrument of claim 31, wherein said body further comprises a securing element to secure said at least one of said pattern guide and said cutting guide to said mounting structure.

33. (currently amended) The instrument of claim 28, wherein said ~~two hinged first and second portions~~ each have bone graft material contacting surfaces, and wherein at least one of said bone graft material contacting surfaces

is deformable to facilitate holding said bone graft material when said bone graft material is clamped between said two hinged portions of said body of said instrument.

34. (original) The instrument of claim 33, wherein said at least one of said bone graft material contacting surfaces has protrusions.

35. (original) The instrument of claim 33, wherein said at least one of said bone graft material contacting surfaces is non-linearly configured to accommodate a cross-sectional shape of said bone graft material.

36. (currently amended) The instrument of claim 28, wherein said ~~two hinged first and second~~ portions each have bone graft material contacting surfaces, and wherein at least one of said bone graft material contacting surfaces is substantially conformingly configured to accommodate a cross-sectional shape of said bone graft material.

37. (original) The instrument of claim 27, wherein said pattern guide comprises a plurality of bores which form at least one outline.

38. (original) The instrument of claim 37, wherein said at least one outline is arcuate.

39. (original) The instrument of claim 37, wherein said at least one outline is linear.

40. (original) The instrument of claim 37, wherein said cutting guide contains at least one slot, said at

least one slot being shaped substantially similar to said at least one outline on said pattern guide, and said at least one slot being oriented on said cutting guide substantially similar to an orientation of said at least one outline on said pattern guide.

Claim 41 (cancelled)

42. (currently amended) An instrument for use in forming a bone graft from bone graft material, said instrument comprising:

means for holding said bone graft material;

means for forming a pattern of bores in said bone graft material, said pattern of bores corresponding to a desired shape of said bone graft, the hole pattern allowing for holes to be made along first and second spaced apart portions of the perimeter of the bone graft; and

means for cutting through said pattern of bores to form said desired shape of said bone graft.